

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 9, 2001
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:05 a.m. City Manager, Michael Uberuaga introduced the new Assistant City Manager, Lamont Ewell. Mayor Murphy recessed the regular meeting at 11:03 a.m. to convene the Redevelopment Agency. Mayor Murphy reconvened the regular meeting at 11:07 a.m. with all members present and District 8-vacant. The meeting was recessed at 12:03 p.m. by Mayor Murphy to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Murphy at 2:02 p.m. with all members present and District 8-vacant. The meeting was recessed by Mayor Murphy at 3:26 p.m. for a short break. Mayor Murphy reconvened the meeting at 3:35 p.m. with all members present and District 8-vacant. Mayor Murphy adjourned the regular meeting at 5:18 p.m. into Closed Session on Tuesday January 9, 2001 in the Twelfth Floor Conference Room to discuss existing litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Stallings-present

(7) Council Member Madaffer-present

(8) Council District - vacant

Clerk-Abdelnour (rl/ew)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Stallings-present
- (7) Council Member Madaffer-present
- (8) Council District-vacant

ITEM-10: INVOCATION

Invocation was given by Reverend Father Theodore Phillips of St. Constantine and Helen Greek Orthodox Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Al Strohlein commented regarding Conserving Electricity.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A122-165.)

PUBLIC COMMENT-2:

Don Stillwell commented regarding prayer in Tuesday Council Meetings.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A166-205.)

PUBLIC COMMENT-3: **REFERRED TO PS&NS COMMITTEE**

Steve McWilliams commented regarding the need for more public awareness about the medical use of Marijuana.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A206-269.)

PUBLIC COMMENT-4:

Jim Varnador commented regarding Mayor Murphy's legacy and its importance to the citizens of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A270-298.)

PUBLIC COMMENT-5:

Ken Loch commented on the nature of a genius, when art is not art and his web page.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A299-334.)

PUBLIC COMMENT-6:

Jane Hewitt commented regarding the De Anza community and the 1200 residences being displaced by a hotel.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A335-372.)

PUBLIC COMMENT-7: **REFERRED TO THE CITY MANAGER**

Mel Shapiro commented regarding demolition, San Diego rents and vacancy rates. He stressed the need for the City to create affordable housing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A373-439.)

PUBLIC COMMENT-8: **REFERRED TO THE CITY MANAGER**

Cynthia Drake commented regarding the care for City trees and the request for use of City water meters in watering City street trees.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A440-514.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

None.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

11/14/2000
11/14/2000 Special Joint Meeting
11/20/2000
11/21/2000
11/21/2000 Special Joint Meeting
11/27/2000
11/28/2000 Adjourned
12/04/2000 Special Meeting
12/05/2000

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A039-048.)

MOTION BY WEAR TO APPROVE. Second by Stevens. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea,
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-31: Rev. George Walker Smith Day.

DEPUTY MAYOR STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-975) ADOPTED AS RESOLUTION R-294409

Commending Rev. George Walker Smith for his 46 years of service to San Diego;

Proclaiming January 9, 2001 to be "Rev. George Walker Smith Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A049-121; B176-191.)

MOTION BY STEVENS TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-50: Proposed Amendment to the Centre City Planned District Ordinance Regarding Maximum Allowable Parking.

(Centre City Redevelopment Project Planning Area. Districts-2, 3 and 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/12/2000. (Council voted 8-0. District 8 vacant.):

(O-2001-104) ADOPTED AS ORDINANCE O-18909 (NEW SERIES)

Amending Chapter X, Article 3, Division 19, of the San Diego Municipal Code by amending Section 103.1936, relating to Off-Street Parking Requirements in the Centre City, to eliminate parking maximums.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C211-253.)

MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-51: Second Quarterly Update to the Land Development Code.

(Citywide)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances in subitems A, B, and C which were introduced on 12/12/2000:

Subitem-A: (O-2001-64 Rev. 1) ADOPTED AS ORDINANCE O-18910 (NEW SERIES)

(Introduced as amended on 12/12/2000. Council voted as follows: 1. Motion to amend to reinstate guest parking requirement. Councilmembers Atkins, Stevens, Maienschein, Stallings, Madaffer, and Mayor Murphy voted yea. Councilmembers Peters and Wear voted nay. District 8 vacant. 2. Motion to approve all items with revisions to Section 141.0905 and Section 9. Councilmembers Peters, Wear, Atkins, Stevens (nay on part of City Manager's recommendation to follow the Federal Regulations), Maienschein, Stallings, Madaffer, and Mayor Murphy voted yea. District 8 vacant.)

Amending Land Development Code Chapters 11-14 to include minor format and reference corrections, consistency corrections, telecommunications facilities regulations amendments, floodplain regulations amendments, subdivision procedures amendments and the Transit Area Overlay Zone update.

Subitem-B: (O-2001-90) ADOPTED AS ORDINANCE O-18911 (NEW SERIES)

(Introduced on 12/12/2000. Council voted 8-0. District 8 vacant.)

Incorporating property located in the City of San Diego into the residential Tandem Parking Overlay Zone as defined in Chapter 13, Article 2, Division 9 of the Municipal Code and the Transit Area Overlay Zone as defined in Chapter 13, Article 2, Division 10 of the Municipal Code, and repealing all ordinances of the City of San Diego insofar as the same conflict herewith.

Subitem-C: (O-2001-65) ADOPTED AS ORDINANCE O-18912 (NEW SERIES)

(Introduced on 12/12/2000. Council voted 8-0. District 8 vacant.)

Amending Chapter 10 of the San Diego Municipal Code by amending Article 3, Division 6, Section 103.0612, relating to Carmel Valley Planned District Parking Regulations.

FILE LOCATION: Subitems A,B,C: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-52: Amending Stormwater Management and Discharge Control Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/11/2000. (Council voted 8-0. District 8 vacant.):

(O-2001-81) ADOPTED AS ORDINANCE O-18913 (NEW SERIES)

Amending Chapter IV, Article 3, Division 3 of the San Diego Municipal Code by amending Section 43.0312, relating to Stormwater Management and Discharge Control, to eliminate the final administrative appeal before the Land Use and Housing Committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-53: Carroll Canyon Business Park Rezoning.

(RZ-98-0978. Mira Mesa Community Plan Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/12/2000. (Council voted 6-2. Councilmembers Peters, Wear, Atkins, Stevens, Maienschein, and Madaffer voted yea. Councilmembers Stallings and Mayor Murphy voted nay. District 8 vacant.):

(O-2001-80) CONTINUED TO TUESDAY, FEBRUARY 6, 2001

Rezoning 57.8 acres, located on the west and east side of Camino Ruiz along the proposed alignment of Carroll Canyon Road, in the Mira Mesa Community Plan area, from the AR-1-1 Zone (previously referred to as the A1-10 and Hillside Review Overlay [HRO] Zones) to the IL-2-1 Zone (previously referred to as the M-1B and HRO Zones).

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A578-B175.)

MOTION BY MAIENSCHIN CONTINUE TO TUESDAY, FEBRUARY 6, 2001 FOR FURTHER DISCUSSION BY INVOLVED PARTIES. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

- * ITEM-54: First Amendment to the Agreement with Old Town Trolley Tours for Operation of the Tram System in Balboa Park.

(Balboa Park Community Area. District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/5/2000. (Council voted 8-0. District 8 vacant.):

(O-2001-101) ADOPTED AS ORDINANCE O-18914 (NEW SERIES)

Authorizing the City Manager to enter into a First Amendment to an agreement with Old Town Trolley Tours for operation of a tram system in Balboa Park.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

Aud. Cert. 2100607.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B284-327.)

MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

- * ITEM-55: Removal of 2 Hour Metered Parking Zone on W. University Ave. Between Front St. and Albatross St.

(Uptown Community Area. Districts-2 and 3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/5/2000. (Council voted 8-0. District 8 vacant.):

(O-2001-85) ADOPTED AS ORDINANCE O-18915 (NEW SERIES)

Removing the 23 two-hour parking meters from the north and south sides of West University Avenue between Front Street and Albatross Street.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-56: Lease and Joint Use Agreement for Sage Canyon Elementary School and Carmel Valley Neighborhood #10 Park.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-66) INTRODUCED, TO BE ADOPTED ON MONDAY, JANUARY 22, 2001

Introduction of an Ordinance executing an Agreement for the construction, maintenance, and lease of a multi-purpose turfed field, hardscape, other recreation facilities, and a parking lot at Sage Canyon Elementary School and Carmel Valley Neighborhood #10 Park.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER'S SUPPORTING INFORMATION:

The Sage Canyon Elementary School Park is located in the Carmel Valley community at Carmel Mountain Road and Harvest Run Drive within the Del Mar Union School District boundaries.

The school is sited contiguous with an approximately 6.74 acre neighborhood park. Pursuant to the Council-approved, 1981 North City West Master Schools Facilities Plan this project entails the joint use of approximately 4.8 acres of City-owned land for recreational and educational purposes. Recreation amenities, as designed with input from a community task force, include a turfed multi-purpose field, hardcourts for basketball, volleyball and other court games, and a 66 space, District-owned parking lot. Additionally, the City will be contributing on a pro bono basis toward the construction and maintenance of the school's sewer pump station which will also serve the adjacent neighborhood park comfort station and drinking fountain. A 50-year endowment fund totaling \$35,000 has been created using funds donated by Pardee Construction company to cover the City's projected sewer maintenance costs. The school and joint use area are currently under construction and expected to be completed and open for the 2001 school year.

FISCAL IMPACT:

Annual maintenance costs pursuant to the Joint Use Agreement are estimated to be \$34,400. The funding for these costs will be requested as a new Park and Recreation facility in the Fiscal Year 2002 budget process.

Loveland/McLatchy/DVW

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO INTRODUCE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-100: Two actions related to the Final Subdivision Map of Carmel Valley Neighborhood 10 North TM-98-0454.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-969) ADOPTED AS RESOLUTION R-294410

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of certain public improvements.

Subitem-B: (R-2001-968) ADOPTED AS RESOLUTION R-294411

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 4.879 acre site into 19 lots, 18 residential and 1 easement lot. It is located west of Interstate 5 and north of Carmel Country Road in the Carmel Valley Community Plan Area. On May 6, 1999, the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 2729-PC for Carmel Valley Neighborhood 10 North TM-98-0454. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing 29998-1-D through 29998-7-D filed in the Office of the City Clerk under Micro Number 140.64. All improvements are to be completed within two years.

The Engineer's estimate for the cost of public improvements is \$206,076 and a Performance Bond in that amount has been provided as surety. A cash Bond in the amount of \$3,000, as determined by the Surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located within the Carmel Valley Community and is within a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. The street vacations are excess portions of cul de sac bulbs which will be eliminated with the dedication of Greenwillow Lane, creating a through street.

Loveland/Haase/GPH

FILE LOCATION: Subitems A,B: SUBD- CARMEL VALLEY
NEIGHBORHOOD 10 NORTH TM-98-0454 (40)

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-101: San Diego Safe Communities Grant Application.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-948) ADOPTED AS RESOLUTION R-294412

Authorizing the City Manager to accept and administer funds for the Safe Communities Program, and the authorization shall include all aspects of grant acceptance, operation, expenditures, and certification that the City will comply with all applicable statutory or regulatory requirements related to the program;

Authorizing the City Manager to execute any amendments, extensions, renewals, or future funding for this program for a period of up to five years, provided funding is made available by the California Office of Traffic Safety;

Declaring that any liability arising out of our performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the City of San Diego. The State of California and the California Office of Traffic Safety disclaim responsibility for any such liability;

Declaring that grant funds and/or resources received shall not be used to supplant expenditures controlled by this body, and that personnel positions funded (if any) are not subject to local hiring freezes.

CITY MANAGER SUPPORTING INFORMATION:

SDPD has received grants from the California Office of Traffic Safety (OTS) over the past 10 years for Buckle Up San Diego, and the subsequent Safe Communities program. These grants are intended to promote traffic and passenger safety through projects which promote the correct use of seat belts, child safety seats, and air bags. Strategies include education, training, assistance and enforcement operations conducted by and through law enforcement, businesses, the media, schools, health facilities, and other venues.

The project also provides lowcost child seats and training to low income families. Safe Communities periodically participates in seat belt checkpoints in cooperation with SDPD Traffic Division staff. The program has expanded to include multi-disciplinary coalitions which focus on a broad spectrum of traffic safety issues, such as pedestrians and cyclists, and a permanent

San Diego Injury Prevention Center to address workplace, home and recreational safety. Since inception, San Diego Buckle Up and Safe Communities projects have been subcontracted to OTS-approved service providers who develop the Buckle Up and Safe Communities programs and proposals, and operate the programs under the direction, and with full cooperation, assistance and support, of SDPD Traffic Division and staff. This Resolution authorizes the City to apply for, and, if selected, to accept and expend the Safe Communities Grant for the period January 1, 2001 through December 31, 2002, including any extensions or amendments thereof. This two-year grant will pay contractual salaries and program supplies and expenses. Contractual documents associated with this grant will be processed as separate Council Actions.

FISCAL IMPACT:

CA Office of Traffic Safety will provide \$400,000 over 24 months for vehicle passenger safety, education, publicity, training, task forces and operations. As in the past, the majority of funds will be subcontracted to the San Diego Buckle Up/Safe Communities contractors (in a separate process) to develop, implement, manage and operate all grant activities. The City will receive \$12,000 to help defray project administration costs. There is no requirement for matching funds. There is no requirement to continue operations or expenditures after the grant terminates.

Uberuaga/Bejarano/DJW

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-102: Amending FY2001 Capital Improvements Program Budget - Mira Mesa Community Park-Senior Citizens Center Parking Lot Expansion.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-960) ADOPTED AS RESOLUTION R-294413

Authorizing the City Auditor and Comptroller to add CIP-29-425.0, Mira Mesa Community Park-Senior Citizens Center Parking Lot Expansion, to the FY2001 Capital Improvements Program Budget;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$190,000 (\$150,000 from the Mira Mesa Community Fund, Fund No. 10516, and \$40,000 from Community Development Block Grant Funds, Fund No. 18535) for use on CIP-29-425.0, Mira Mesa Community Park-Senior Citizens Parking Lot Expansion.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide 36 additional parking spaces to the existing 125 space parking lot at the Mira Mesa Community Park located at 8460 Mira Mesa Blvd. Annual maintenance will be the responsibility of Lessees, through an amended agreement which will be completed at a later date. The Park and Recreation Department will incur no additional maintenance costs associated with this project.

FISCAL IMPACT:

Funds are available in the amount of \$190,000 (\$150,000 from the Mira Mesa Community Fund, Fund No. 10506 and \$40,000 from Community Development Block Grant Funds, Fund No. 18535) for this purpose.

Loveland/McLatchy/DVW

Aud. Cert. 2100642.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-103: Transfer Funds for Traffic Signal Modification.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-944) ADOPTED AS RESOLUTION R-294414

Authorizing the City Auditor and Comptroller to transfer \$5,000 from Development Impact Fees (DIF) Fund 79513 to CIP-62-002.0, Minor Signal Requirements;

Increasing the FY2001 CIP Budget to reflect the increased appropriation of \$5,000 into CIP-62-002.0;

Authorizing the expenditure of \$5,000 from CIP-62-002.0, Minor Signal Requirements, to expedite the traffic signal modification at Fourth Avenue at E Street in Centre City to add pedestrian indications for the purpose of establishing a “pedestrian scramble” phase.

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Auditor and comptroller to transfer \$5,000 from the Centre City Development Impact Fee (DIF) to the Capital Improvement Program CIP-62-002.0, Minor Signal Requirements; amend the FY2001 CIP Budget to reflect the increased appropriation of \$5,000 into CIP-62-002.0; and authorize the City Manager to expend the \$5,000 from CIP-62-002.0, Minor Signal Requirements, to expedite the traffic signal modification. The project will modify the existing traffic signal at Fourth Avenue at E Street, in Centre City, to add pedestrian indications for the purpose of establishing a “pedestrian scramble” phase. A “pedestrian scramble” phase is where all vehicular traffic is stopped by red traffic signal indications and the pedestrians are able to cross the street in all directions simultaneously, including diagonally.

FISCAL IMPACT:

Transfer \$5,000 from Centre City DIF, Fund 79513, to FY2001 CIP-62-002.0, Minor Signal Requirements.

Belock/Gonzalez/AH

Aud. Cert. 2100624.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B394-418.)

MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea,
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-104: Additional Funding for Point Loma Power Generation & Distribution Upgrade.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-979) ADOPTED AS RESOLUTION R-294415

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$300,000 within Fund No. 41508, from CIP-46-175.0, Point Loma - Headworks, Odor Control & Grit Processing, to CIP-46-179.0, Point Loma - Power Generation and Distribution Upgrade, in order to provide funding for future and outstanding administrative costs in connection with the project.

CITY MANAGER SUPPORTING INFORMATION:

The Point Loma Power Generation and Distribution Upgrades project was constructed to replace and refurbish the existing facilities that use digester gas to generate electrical power for use at the Point Loma Wastewater Treatment Plant and for sale to San Diego Gas and Electric. The project also made improvements to the electrical distribution system at the plant to meet EPA guidelines. The project became operational in November 1999. During construction and start-up the project incurred problems which substantially delayed its completion and resulted in extra costs.

Through the claims process the City is actively pursuing recovery of some of these costs. Fortunately, the facility has been operational for one year and the City already has saved \$1,642,500 on electrical power costs and has generated revenue of \$1,014,200 from the sale of extra electrical power. This request to Council is to transfer \$300,000 to fund the outstanding and future administrative costs associated with resolving claims and closing out this project.

FISCAL IMPACT:

The total cost of this action is \$300,000 from Fund 41508, CIP-46-179.0, Point Loma - Power Generation and Distribution Upgrade.

Belock/Schlesinger/JAW

Aud. Cert. 2100674.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B388-393.)

MOTION BY WEAR TO ADOPT. Second by Stevens. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea,
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-105: Settlement of Claim - Manigault Chinnis.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-963) ADOPTED AS RESOLUTION R-294416

A Resolution approved by the City Council in Closed Session on Tuesday, November 14, 2000, by the following vote: Mathis-yea; Wear-yea; Kehoe-not present; Stevens-not present; Blair-yea; Stallings-yea; McCarty-yea; Vargas-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$100,000 in the settlement of each and every claim against the City, its agents and employees, resulting from

an automobile collision occurring on April 1, 1999, at or near the intersection of Euclid Avenue and Westover Place (Superior Court Case No. GIC-740918, Manigault Chinnis v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$100,000 made payable to Manigault Chinnis, Law Offices of Larry H. Parker, Inc., and the Department of the Navy, in full settlement of the lawsuit and all claims;

Declaring that the funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the claim of Manigault Chinnis against the City of San Diego, its agents and employees.

Herring/Oliva/MG

Aud. Cert. 2100648.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-106: Commercial Vehicle Prohibition on East Mountain View Drive.

(Normal Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-947) ADOPTED AS RESOLUTION R-294417

Declaring that pursuant to the authority delegated to the City under California Vehicle Code Section 35700 et seq., and San Diego Municipal Code Section 85.04, commercial vehicles with a gross vehicle weight rating of over 10,000 pounds are prohibited from operating on East Mountain View Drive between Adams and 36th Street;

Authorizing the installation of the necessary signs and markings to be made on said streets; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action prohibits commercial vehicles with a rated capacity of five tons or more from using East Mountain View Drive between Adams Avenue and 36th Street. By law, passenger buses, public utility vehicles, and commercial vehicles with an origin or destination on the affected street are exempt from this provision. Alternate routes for commercial vehicles include Adams Avenue. Council approval is required according to Municipal Code Section 85.04. A petition from 21 of 34 affected properties, representing 55% of the abutting frontage, was submitted in support of this action. The Normal Heights Planning Committee supports this action.

FISCAL IMPACT:

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Street Division operating fund for this purpose.

Belock/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallons-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-107: Angle Parking on Eads Avenue.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-961) ADOPTED AS RESOLUTION R-294418

Approving angle parking on both sides of Eads Avenue between Pearl Street and Genter Street;

Authorizing the installation of the necessary signs and markings to be made on said streets; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on both sides of Eads Avenue between Pearl Street and Genter Street. Currently, there is parallel parking in this segment. This action will provide 19 additional parking spaces. Council approval is required according to Municipal Code Section 86.03. A petition representing 17 of 21 abutting property owners (81%) was submitted in support of this action. The La Jolla Community Planning Association supports this action.

FISCAL IMPACT:

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Street Division operating fund for this purpose.

Belock/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-108: Amendments to Consultant Services Agreements Regarding the Ballpark and Redevelopment Project, with Jacobs, Chase, Frick, Kleinkopf & Kelley LLC, and Long, Aldridge & Norman.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-982) ADOPTED AS RESOLUTION R-294419

Authorizing an amendment to the Retainer Agreement with Jacobs, Chase, Frick, Kleinkopf & Kelley LLC, for consulting services concerning the Ballpark and Redevelopment Project increasing the authorized amount for that Agreement by \$50,000;

Authorizing the expenditure of an amount not to exceed \$50,000 from Fund 102214, Dept. 102214, Org. No. 200, Object Account 4141, Job Order 00203 for providing funds for the project with Jacobs, Chase, Frick, Kleinkopf & Kelley LLC;

Authorizing an amendment to the Retainer Agreement with Long, Aldridge & Norman, for consulting services concerning the Ballpark and Redevelopment Project increasing the authorized amount for that Agreement by \$50,000;

Authorizing the expenditure of an amount not to exceed \$50,000 from Fund 102214, Dept. 102214, Org. 200, Object Account 4141, Job Order 00202 for providing funds for the project with Long, Aldridge & Norman.

SUPPORTING INFORMATION:

This action will amend the existing Jacobs, Chase, Frick, Kleinkopf & Kelley LLC, and Long, Aldridge & Norman agreements for outside consultant services to assist the City Attorney and City Manager regarding the Ballpark and Redevelopment Project by \$50,000 each for a total agreement of \$717,000 for Jacobs, et al., and \$675,000 for Long, et al.

Herring/Frazier/LG

Aud. Certs. 2100693 and 2100694.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

MOTION BY ATKINS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-ineligible,
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-109: Consultant Agreement of Sewer Pump Station 49 Improvement with Lee & Ro,
Inc.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-957) ADOPTED AS RESOLUTION R-294420

Authorizing the City Manager to execute an agreement with Lee & Ro, Inc., for
engineering consultant services for the design of Sewer Pump Station 49
Improvement;

Authorizing the expenditure of an amount not to exceed \$264,978 from Sewer
Fund No. 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Station, for
providing funds for the project;

Authorizing the Auditor and Comptroller, upon advice from the administering
department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This project is part of the City of San Diego's continuing Annual Sewer Pump Station
Restoration Program. Sewer Pump Station 49 is an improvement project located in the Mission
Valley Community. This Sewer Pump Station is located along Camino del Rio North and has
been in service since 1982. A recent inspection revealed the extent of the required upgrade.
Much of the existing equipment, including pumps, electrical, and control systems are from the

original installation and are generally fatigued. The scope of work includes: extensive rehabilitation of the existing pump station, construct a second 4-inch force main, and provide permanent natural gas emergency generator.

A list of 15 design consultants was provided by the City's Consultant Services Coordinator. In conformance with Council Policy 300-7, the firms were interviewed. Lee & Ro, Inc. was selected as the best qualified firm to provide the design consultant services for Sewer Pump Station 49. The Sub-Consultants are: Group Delta Consultants, Geotechnical Engineering, 9.6% MBE/DBE; and Aguirre & Associates, Easement Description, 0.9% MBE/DBE.

FISCAL IMPACT:

The estimated cost of \$264,978 for professional services, which includes \$98,000 for in-house engineering, \$151,978 for design services, and \$15,000 for additional services as required. Funding is available in Sewer Fund 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Station Restoration, for this purpose. The total estimated cost for this project is \$1,510,000.

Belock/Boekamp/HR

Aud. Cert. 2100641.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-110: Office Space Lease Amendment with Global Corporate Recruiters, Inc.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-967) ADOPTED AS RESOLUTION R-294421

Authorizing the City Manager to execute the Second Amendment to Lease with Global Corporate Recruiters, Inc., for a total leasehold area of 291 square feet, at the base rent of \$330.49 per month;

Declaring that the total annual rent paid to the City of San Diego for the first year of the Second Amendment to Lease, in the amount of \$3,965.88, shall be deposited into the General Fund 100.

CITY MANAGER SUPPORTING INFORMATION:

Global Corporate Recruiters, Inc. has been leasing space from the City in the World Trade Center Building, located at 1250 Sixth Avenue, Suite 905A & 905B since September 25, 1997. Total space leased is 291 rentable square feet.

The tenant will be leasing space under the following basic terms:

Term - For one (1) year commencing October 1, 2000 and terminating September 30, 2001. The tenant has the option to extend the lease for four (4) additional one (1) year periods, providing the tenant is not in default.

Rent - \$330.49 per month or approximately \$1.14 per square foot. The rental rate is at market value compared to similar space in the downtown area. Rent to increase 5% with each one year extension option.

Use - General office usage.

Size - 291 square feet.

FISCAL IMPACT:

\$3,965.88 will be deposited into the General Fund 100 for the first year of this Lease Amendment.

Loveland/Griffith/DLM:DCM

FILE LOCATION: Leas - Global Corporate Recruiters, Inc.

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-111: Office Space Lease Amendment with American-Russian Business Council.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-956) ADOPTED AS RESOLUTION R-294422

Authorizing the City Manager to execute the Fifth Amendment to Lease with the American-Russian Business Council, for a total leasehold area of 186 square feet, at the base rent of \$275.60 per month;

Declaring that the total annual rent paid to the City of San Diego for the first year of the Fifth Amendment to Lease, in the amount of \$3,307.02, shall be deposited into the General Fund 100.

CITY MANAGER SUPPORTING INFORMATION:

American-Russian Business Council has been leasing space from the City in the World Trade Center Building, located at 1250 Sixth Avenue, Suite 212 since October 1, 1995. Leased space is approximately 186 rentable square feet.

The tenant will be leasing the space under the following basic lease terms:

TERM - For one (1) year commencing November 1, 2000 and terminating October 31, 2001. Tenant has the option to extend the lease for four (4) additional one (1) year periods, providing the tenant is not in default.

RENT - \$275.60 per month or approximately \$1.48 per square foot. Rental rate is at market value compared to similar space in the downtown area. Rent to increase 4% with each one year extension option.

USE - General office usage.

SIZE - 186 square feet.

FISCAL IMPACT:

\$3,307.20 will be deposited into the General Fund 100 for the first year of this Lease Amendment.

Loveland/Griffith/DLM:DCM

FILE LOCATION: Leas - American-Russian Business Council

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-112: Establishment of a Banner District in Mission Valley.

(Mission Valley Community Area. District-6.)

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-964) ADOPTED AS RESOLUTION R-294423

Declaring that in accordance with San Diego Municipal Code Section 142.1210, banners may be installed on the following streets: Hotel Circle North and South, Fashion Valley Road, Friars Road, Mission Center Road, Camino de la Reina, Camino del Rio North, Qualcomm Way and Camino del Este;

Declaring that the Mission Valley Tourism Council shall maintain the banners and all associated equipment within the rights-of-way referenced herein, and shall secure all necessary approvals from the City of San Diego prior to the installation of banners.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

- * ITEM-113: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2001-974) ADOPTED AS RESOLUTION R-294424

Declaring a continued state of emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: Gen'l - State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

- * ITEM-114: Authorization to Enter into a Contract with Metropolitan Transit Development Board to Fund North Bay and Beach Area Guideway Study Phase II.

(See City Manager Report CMR-01-004. Midway/Pacific Highway, Old Town, Mission Bay and Mission Beach Community Areas. Districts-2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-987) ADOPTED AS RESOLUTION R-294425

Making certain findings with respect to the North Bay and Beach Area Guideway Study.

NOTE: See the Redevelopment Agency Agenda dated 01/09/2001 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

* ITEM-115: William Johnson Day.

COUNCILMEMBER MADAFFER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1008) ADOPTED AS RESOLUTION R-294426

Commending William Johnson for his service and dedication;

Proclaiming January 12, 2001 to be "William Johnson Day" in San Diego

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B246-283.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-150: Formation of Ad Hoc Committee to Identify Criteria for Selecting Parks for Off-Leash Dog Use.

(See City Manager Reports CMR-01-002 and CMR-00-180.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2001-864) ADOPTED AS AMENDED AS RESOLUTION R-294435

Creating and establishing the Off-Leash Ad Hoc Committee as set forth in City Manager Report CMR-01-002.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/20/2000, LU&H voted 4 to 0 to:

- A) Rescind the current process regarding existing parks, but continue to review new parks for appropriateness.
- B) Allow pipeline applications to proceed under the current process.
- C) Begin a new process, with a new committee of up to ten members. The membership is to be approved by the City Council.
- D) Direct Park and Recreation staff to return to the Land Use and Housing Committee with a list of 6 - 10 recommended new leash free areas in existing parks within Council Districts 1, 2, 5 and 6.
- E) Direct staff that the goal is to designate new leash free areas within existing parks.
- F) Allow staff to hire a facilitator to help with the process. Poway and Minneapolis are to be looked at for successful model.

G) Have the recommendation approved by the full City Council.

(Councilmembers Wear, Kehoe, Stevens and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C374-432; D399-E538 .)

Motion by Wear to adopt with direction that in Item D, Park and Recreation Staff will return to LU&H Committee within 60-days with the siting of the leash-free areas in Districts 1,2,5 and 6. Second by Stallings. No vote taken.

Trailed to afternoon session due to lack of time.

MOTION BY WEAR TO ADOPT THE RESOLUTION APPROVING THE LIST AND TO CONTINUE FORWARD WITH THE PROCESS OUTLINED BY THE LU&H COMMITTEE TO DO THE FOLLOWING:

- A) RESCIND THE CURRENT PROCESS REGARDING EXISTING PARKS, BUT CONTINUE TO REVIEW NEW PARKS FOR APPROPRIATENESS;
- B) ALLOW PIPELINE APPLICATIONS TO PROCEED UNDER THE CURRENT PROCESS;
- C) BEGIN A NEW PROCESS, WITH A NEW COMMITTEE OF UP TO TEN MEMBERS. THE MEMBERSHIP IS TO BE APPROVED BY THE CITY COUNCIL. THE NAMES ARE CONTAINED WITHIN THE CITY MANAGER'S REPORT AND TO INCLUDE THE FOLLOWING TO BE ON THE COMMITTEE: 1) THE CHAIR OF THE PARK AND RECREATION BOARD; 2) THE CHAIR OF THE COMMUNITY PLANNERS COMMITTEE; OR 3) THEIR DESIGNEE TO BE ON THE COMMITTEE; AND 4) DONALD STEELE;
- D) DIRECT PARK AND RECREATION STAFF TO RETURN IN 90 DAYS TO THE LAND USE AND HOUSING COMMITTEE WITH A LIST OF 6 - 10 RECOMMENDED NEW LEASH FREE AREAS IN EXISTING PARKS WITHIN COUNCIL DISTRICTS 1, 2, 5 AND 6; AND TO INCLUDE A PRELIMINARY REVIEW OF THE PARKS ONCE THE COMMITTEE ESTABLISHES A CRITERIA FOR THEM TO LOOK AT;

- E) DIRECT STAFF THAT THE GOAL IS TO DESIGNATE NEW LEASH FREE AREAS WITHIN EXISTING PARKS;
- F) ALLOW STAFF TO HIRE A FACILITATOR TO HELP WITH THE PROCESS. POWAY AND MINNEAPOLIS ARE TO BE LOOKED AT FOR SUCCESSFUL MODEL;
- G) HAVE THE RECOMMENDATION APPROVED BY THE FULL CITY COUNCIL; AND
- H) INCLUDE A BEST EFFORT'S CLAUSE TO ASK STAFF TO LOOK FOR A CHILD ADVOCATE TO SIT ON THE COMMITTEE; AND IF STAFF CANNOT FIND A CHILD ADVOCATE TO SIT ON THE COMMITTEE, THEN HAVE AN EXPERT COME AND TESTIFY AT A MEETING.
Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-151: Cardroom Charges.

(See memorandum from Councilmember Kehoe dated 11/8/2000.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2001-106) INTRODUCED, TO BE ADOPTED ON MONDAY, JANUARY 22, 2001

Introduction of an Ordinance amending Chapter III, Article 3, of the San Diego Municipal Code by amending Division 39 by amending Section 33.3917, relating to Cardroom Charges, to provide that cardrooms shall adopt a schedule of charges and post such schedule at each table in the cardroom.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S RECOMMENDATION:

On 11/15/2000, PS&NS voted 4 to 0 to direct the City Attorney to prepare, and forward to the City Council, an amendment to Municipal Code Section 33.3917 related to Cardroom Charges as requested by Councilmember Kehoe. (Councilmembers Mathis, Stevens, Blair and Stallings voted yea. Councilmember Wear not present.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B419-465.)

MOTION BY STALLINGS TO INTRODUCE. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-200: Four actions related to Southcrest Park Estates Phase II Maintenance Assessment District.

(Southcrest Community Area. Districts-4 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-926) ADOPTED AS RESOLUTION R-294427

Proposing the Formation of the Southcrest Park Estates Phase II Maintenance Assessment District.

Subitem-B: (R-2001-927) ADOPTED AS RESOLUTION R-294428

Preliminarily approving the City Engineer's report.

Subitem-C: (R-2001-928) ADOPTED AS RESOLUTION R-294429

Resolution of Intention to levy and collect Fiscal Year 2002 annual assessments.

Subitem-D: (R-2001-930) ADOPTED AS RESOLUTION R-294430

Authorizing the City Auditor and Comptroller to establish the Southcrest Park Estates Phase II Maintenance Assessment District Fund (Fund No. 70262);

Approving the acceptance of Pacific Scene Homes' deposit of \$8,500 and authorizing the City Manager to expend such funds for the purpose of the formation of the Southcrest Park Estates Phase II Maintenance Assessment District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2002 assessment for the Southcrest Park Estates Phase II Maintenance Assessment District (District). The District is located in the Southcrest Community situated east of Interstate 5 along the north side of Chollas Creek drainage channel between 35th Street and 38th Street and the south side of Chollas Creek drainage channel between 38th Street and 39th Street. The purpose of the District is to fund the maintenance of 1.39 acres of landscaped slope and irrigation adjacent to the Chollas Creek drainage channel. The Fiscal Year 2002 proposed maintenance costs for the District are as follows:

<u>DESCRIPTION</u>	<u>FUND</u>		
	<u>OPERATIONS</u>	<u>RESERVE</u>	<u>TOTAL</u>
BEGINNING BALANCE	\$ 0.00 \$	0.00 \$	0.00
REVENUE:			
Assessments	\$ 27,680.00	0.00	\$ 27,680.00
Interest	0.00	0.00	0.00
City Contribution	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUE	\$ 27,680.00 \$	0.00	\$ 27,680.00
TRANSFER	(3,105.00)	3,105.00	0.00
EXPENSE:			
Personnel	\$ 3,222.00	\$ 0.00	\$ 3,222.00
Contractual	11,000.00	0.00	11,000.00
Incidental	5,973.00	0.00	5,973.00
Utilities	<u>4,380.00</u>	<u>0.00</u>	<u>4,380.00</u>
TOTAL EXPENSE	\$ 24,575.00	\$ 0.00	\$24,575.00
ENDING BALANCE	\$ 0.00	\$ 3,105.00	\$ 3,105.00

The proposed assessment for Fiscal Year 2002 is \$444.48 per Equivalent Benefit Unit (EBU), with a maximum assessment authorized of \$597.03 per EBU. The assessment may be indexed annually by the factor published in the San Diego CPI-U. The District contains a total of 62.28 EBU's.

FISCAL IMPACT:

All costs are assessed to the District. There is no net fiscal impact.

Loveland/McLatchy/SY

FILE LOCATION: Subitems A,B,C,D: STRT-M-423-02 (34)

COUNCIL ACTION: (Tape location: B466-489.)

MOTION BY STALLINGS TO ADOPT. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-201: San Diego Serious Habitual Youth Offenders (SHO) Program Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-867) ADOPTED AS RESOLUTION R-294431

Authorizing the City of San Diego to accept and expend funding for the Serious Habitual Youth Offenders Program;

Declaring that this authorization includes all aspects of grant and program application, acceptance, operation, contracts, expenditures, certifications of compliance with all applicable statutory or regulatory requirements related to this program, and any amendments, extensions, renewals, or future funding of this program for a period of up to five years, provided funding is made available by the State of California;

Declaring that the applicant agrees to provide all matching funds required for this project (including amendments, extensions, renewals, or future funding) under the program and the funding terms and conditions of the Office of Criminal Justice Planning, and that any required cash match shall be appropriated as required;

Declaring that any liability arising out of the performance of the Grant Award Agreement and/or program, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability;

Declaring that funds and/or resources received shall not be used to supplant expenditures controlled by this body, and that City personnel positions funded hereunder are not subject to local hiring freezes.

CITY MANAGER SUPPORTING INFORMATION:

The Office of Criminal Justice Planning (OCJP) has selected the San Diego Police Department to receive a Serious Habitual Offenders (SHO) grant. The program is designed to implement an automated, interagency case management information system on chronic, serious habitual juvenile offenders (SHOs). Required participant agencies are law enforcement, probation, prosecution and schools. The system will provide a central repository for information on serious juvenile offenders such as criminal history, probation/parole status, wants, warrants, associates, and other pertinent information. The system will provide rapid, comprehensive information on SHOs in order to enhance the ability of law enforcement, probation, prosecution and schools to track, supervise, investigate and, as necessary, prosecute serious young offenders. The initial grant period is one year. The grant is renewable for up to two additional years with nominal competition.

FISCAL IMPACT:

The grant award of \$107,579 will fund a Crime Analyst, Intern, hardware, software, and miscellaneous supplies and equipment. The required cash match in year 1 is 5% (\$5,379). The required cash match in years 2 and 3 will be 10% and 15% (approx. \$11,953 and \$16,137 respectively, if the grant amount remains unchanged). The required match will be met through other State or Federal grants, such as by the purchase of a computer or supplies. The automated system developed under the grant will be as maintenance free as possible, so that continued use after the grant will incur negligible expense.

NOTE: OCJP reduced ALL grantees' requested amounts. This accounts for the varying amounts in the documents. The amounts in the 1472 and the grant application cover sheet are correct.

Uberuaga/Bejarano/DJW

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B490-C172.)

MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-202: Cooperative Agreement with Metropolitan Transit Development Board for Construction of Logan Heights Traffic Signal Interconnect.

(Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-933) ADOPTED AS RESOLUTION R-294432

Authorizing the City Manager to execute a cooperative agreement with Metropolitan Transit Development Board (MTDB), for CIP-63-023.0, Logan Heights Traffic Signal Interconnect;

Authorizing the appropriation and expenditure of an amount not to exceed \$120,000 from CIP-63-023.0, Logan Heights Traffic Signal Interconnect, Fund No. 63022, Private and Other Contributions;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to reprogram an amount not to exceed \$92,913.43 from TransNet Fund No. 30300, CIP-63-023.0, Logan Heights Traffic Signal Interconnect, to CIP-68-008.0, Annual Allocation-Traffic Signal Subsystems, as

repayment for funds fronted to this project to facilitate the construction of the Logan Heights Traffic Signal Interconnect Project.

CITY MANAGER SUPPORTING INFORMATION:

The Logan Heights Traffic Signal Interconnect Project (CIP-63-023.0) was developed and installed to link together a significant number of traffic signals along 32nd Street, Imperial Avenue and Commercial Street by trenching conduit filled with hardwire conductors. The goal of this project was to coordinate and improve signal timing efficiency. The result of this effort would be to relieve driver frustration, improve traffic safety, and reduce air pollutants. Metropolitan Transit Development Board (MTDB) realized an opportunity during the trenching portion of this project to install conduit of their own for its trolley operations along Commercial Street. Therefore, arrangements were made between the City and MTDB to coordinate and cooperatively joint share the trench, with the associated costs, for this portion of the overall project. Costs include design, materials, and installation that were incurred by the City, and will now be reimbursed by MTDB.

FISCAL IMPACT:

With the acceptance of this Cooperative Agreement, the Logan Heights Traffic Signal Interconnect Project will be fully funded by CMAQ , TSM grants, and MTDB.

Belock/Boekamp/HR

Aud. Cert. 2100601.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C173-179.)

MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-203: Sewer Pump Station 26 - Contract Change Order No. 2.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-746) RETURNED TO THE CITY MANAGER

Approving Change Order No. 2 with Foss Environmental and Infrastructure for the Sewer Pump Station 26 Project, CIP-41-923.0, amounting to a net increase in the contract price of \$274,225.50;

Authorizing the City Auditor to transfer \$314,225.50 from Sewer Fund 41506, CIP-46-142.0, Sewer Pump Station 24, to Sewer Fund 41506, CIP-41-923.0, Sewer Pump Station 26;

Authorizing the additional expenditure of an amount not to exceed \$274,225.50 for Change Order No. 2, and \$40,000 for Construction Management related to the Change Order, from Sewer Fund 41506, CIP-41-923.0 for providing funds for the Change Order and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Directing the City Manager to pursue the recommendation of the La Jolla Town Council regarding the removal of Sewer Pump Station 26, contingent upon all required environmental review and the satisfaction of any other permitting requirements.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Pump Station No. 26 is located at the corner of Coast Boulevard and Jenner Street, south of the Lifeguard Station in the La Jolla community area. The proposed 2,746 feet gravity sewer alignment will redirect the flow south of Jenner Street to Sewer Pump Station No. 24.

Contract Change Order No. 2 is needed due to the following:

1. The existing concrete pavement in some portions of Coast Boulevard was in poor condition and was replaced in order to restore the trench and provide a smooth riding surface; and

2. The storm drain diversion box and the clean out were installed by the request of the City's Transportation and Drainage Design Division to provide for the future low flow drainage improvements on Coast Boulevard.

Sewer Pump Station 26 (SPS 26) was built in 1950 and is being abandoned after the sewer flow is directed to Sewer Pump Station 24. According to the original Plans and Specifications for this project, SPS 26 was to be turned over to the Lifeguards and Park and Recreation Department to be utilized as a storage room. Removal of SPS 26 was recommended by the La Jolla Town Council and the City was directed to obtain the required permits. The removal proposal was presented to the La Jolla Community Planning Association (LJCPA) as part of the permit process. The LJCPA voted unanimously for keeping the building for storage purposes. Staff follows the direction of the La Jolla Town Council in removal of SPS 26.

FISCAL IMPACT:

The total estimated cost of this project is \$2,420,338.50, of which \$2,106,113 was previously authorized by City Council Resolution R-291688. Additional funding for this request of \$314,225.50 is available in Sewer Fund 41506, CIP-41-923.0, Sewer Pump Station 26 for this purpose.

Belock/Boekamp/HR

Aud. Cert. 2100481.

WWF-01-471.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A561-577.)

MOTION BY STALLINGS TO RETURN TO THE CITY MANAGER TO FURTHER RESOLVE ISSUES. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-330: Street Vacation - The Vacation of an Alley in Block 32 of Map 352.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-911) ADOPTED AS RESOLUTION R-294436

Vacating the east/west alley in Block 32 of La Jolla Park, Map 352, as shown on Drawing No. 18390-1-B, and in the legal description marked as Exhibit "A".

CITY MANAGER SUPPORTING INFORMATION:

On July 9, 1996, the City Council adopted R-287612 which conditionally vacated the Alley intersecting Eads Avenue between Kline Street and Silverado Street. Condition No. 2 of the Resolution of Vacation required relocation of public and franchise utilities and that a new alley alignment be dedicated and improved within three (3) years of the resolution's adoption date. This resolution became null and void because the improvements required were not completed within the specified time limit. Therefore, the applicant, the La Jolla Presbyterian Church, has requested a new Council resolution to vacate the alley. The new alley alignment, as originally conditioned, has subsequently been dedicated. The applicant has secured financing to begin the public improvements and utility relocations. The project has been submitted for plan checking and permits, and construction is expected to be completed within 15 months. A 24 month time limit will allow sufficient time for the applicant to complete the required improvements. Planning and Development Department recommend approval of this request.

FISCAL IMPACT:

None. All costs have been paid for by the applicant.

Loveland/Haase/AW

NOTE: This project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

FILE LOCATION: STRT-J-2931 (39)

COUNCIL ACTION: (Tape location: D110-398.)

Hearing began at 2:15 p.m. and halted at 2:36 p.m.

Testimony in opposition by Tim Konold.

Testimony in favor by Norman Hanney, Neville Willsmore, and Robert Goff.

MOTION BY PETERS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea,
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-331: Cambridge Square.

Matter of the appeal of Douglas Scott from the decision of the Planning Commission in approving a Tentative Map (TM), Mid-City Communities Development Permit (MCDP), and Resource Protection Ordinance Permit (RPO) No. 96-7749 to demolish the existing Elks Lodge building and construct 34 condominium units at 2720 Fourth Avenue in the Uptown Community Planning area. TM-96-7749 (Cambridge Square)

(TM/RPO/MCDP-96-7749. Uptown Community Plan area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in subitem A to grant the map; adopt the resolution in subitem B to grant the permit; and adopt the resolution in subitem C:

Subitem-A: (R-2001-) GRANTED MAP, ADOPTED AS RESOLUTION
R-294437

Adoption of a Resolution granting or denying Tentative Map (TM) No. 96-7749, with appropriate findings to support Council action.

Subitem-B: (R-2001-) GRANTED PERMIT, ADOPTED AS RESOLUTION
R-294438

Adoption of a Resolution granting or denying Mid-City Communities Development/Resource Protection Ordinance Permit No. 96-7749, with appropriate findings to support Council action.

Subitem-C: (R-2001-) ADOPTED AS RESOLUTION R-294439

Adoption of a Resolution certifying that the information contained in Environmental Impact Report LDR-96-7749 has been completed in compliance

with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

OTHER RECOMMENDATIONS:

Planning Commission on November 2, 2000 voted 4 - 0 to approve; was opposition.

Ayes: Brown, Garcia, Skorepa, Stryker

Abstaining: Steele

Not present: Anderson, Butler

The Uptown Planners Community Planning Group on November 7, 2000, voted 11-0-1 to oppose the project and demolition of the Elk's Lodge, and to support the adaptive reuse of the existing structure.

The Historical Resources Board on October 26, 2000, voted 9-0-1 to recommend approval of the project.

CITY MANAGER SUPPORTING INFORMATION:

This is an application for a Tentative Map (TM), Mid-City Communities Development Permit (MCDP), and Resource Protection Ordinance (RPO) Permit to demolish the existing Elk's Lodge building and construct a two to four story, 34-unit residential condominium project over an underground garage, on a 0.69 acre lot at 2720 Fourth Avenue in the Uptown Community Plan area. The project has three street frontages: Third Avenue, Nutmeg Street, and Fourth Avenue. The west half of the project site is zoned MR-800B, and the east half is NP-1. Each half of the project site would allow a maximum of 25 units for a total of 50 dwelling units.

FISCAL IMPACT:

None.

All processing costs for this project are recovered from a deposit account funded by the applicant.

Loveland/Christiansen/JB

LEGAL DESCRIPTION:

The project site is located at 2720 Fourth Avenue, and is more particularly described as Lots D through I inclusive of Block 308 of Horton's Addition, according to Map thereof made by L.L. Lockling.

FILE LOCATION: Subitems A-C: PERM-96-7749 (65)

COUNCIL ACTION: (Tape location: E539-H170.)

Hearing began at 3:36 p.m. and halted at 5:17 p.m.

Testimony in opposition by Jim Kelley-Markham, Douglas Scott, Cheryl Wilson, Robert Rento, Glenn Kline-Casey, Bruce Coons, Erik Hanson, and Richard Gattis.

Testimony in favor by Lynne Heidel, Marie Lea, Mehran Saberi, Ian Epley, Heather Muns, and Frank Allen.

MOTION BY ATKINS TO ADOPT THE RESOLUTION IN SUBITEM A TO GRANT THE MAP; ADOPT THE RESOLUTION IN SUBITEM B TO GRANT THE PERMIT; AND ADOPT THE RESOLUTION IN SUBITEM C. Second by Peters.

Substitute motion by Stallings to continue to March 13, 2001 at her request for further review. Second by Stevens. Motion withdrawn.

VOTE ON ORIGINAL MOTION: Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-nay, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-332: Diamond Street Community Plan Amendment and Rezone.

Matter of approving, conditionally approving, modifying or denying an amendment to the Pacific Beach Community Plan to change the land use designation on a 0.215 acre site (3 lots) from "Low-Medium Density Residential (9-14 du's/acre)" to "Medium Density Residential (14-29 du's/acre)", and a rezone from RM-1-1 to RM-2-5. Approval of this request would increase the project site's density from 3 to 6 dwelling units. The project site is located at 1911-1919 Diamond Street within the Pacific Beach Community Planning area.

(CPA/RZ-40-0446. Pacific Beach Community Plan area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; and introduce the ordinance in subitem B:

Subitem-A: (R-2001-908) ADOPTED AS RESOLUTION R-294440

Adoption of a Resolution approving the amendment to the Pacific Beach Community Plan;

and adopting an amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

Subitem-B: (O-2001-100) INTRODUCED, TO BE ADOPTED ON JANUARY 22, 2001

Introduction of an Ordinance changing 0.215 acres located at 1911-1919 Diamond Street, within the Pacific Beach Community Plan area, from the RM-1-1 Zone into the RM-2-5 Zone, as defined by San Diego Municipal Code Section 131.0406; and repealing Ordinance No. 17577 (new series), adopted January 9, 1991, of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to approve; was opposition.

Ayes: Steele, Butler, Skorepa, Brown, Stryker, Garcia

Nays: None

Not present: Anderson

The Pacific Beach Community Planning Group has recommended approval of the proposed project.

SUPPORTING INFORMATION:

This is a request to amend the Progress Guide and General Plan and the Pacific Beach Community Plan, and a Rezone to allow the property owner to develop 6 residential dwelling

units (where 3 units are currently allowed) on a 0.215-acre property located at 1911-1919 Diamond Street within the Pacific Beach Community Planning Area. The following actions have been requested by the property owner:

1. An amendment to the Progress Guide and General Plan and Pacific Beach Community Plan to change the residential land use designation from “Low-Medium Density (9-14 units/acre)” to “Medium Density (14-29 units/acre)”.
2. A Rezone from RM-1-1 to RM-2-5.

The project site is currently designated for multi-family residential land uses, and is located in a neighborhood characterized by a variety of medium density residential developments. Approval of this request would allow only three additional dwelling units to be developed on the site, and will not impact the neighborhood’s circulation/transportation system. Existing parking deficiencies on the site will be rectified when new development implements the City’s parking requirements under the Land Development Code. The project is consistent with the Pacific Beach Community Plan’s goals which call for a variety of housing types to afford greater housing opportunities for all. The project is consistent with the Strategic Framework Plan goal of smart growth, by providing additional dwelling units in an urbanized neighborhood, thereby assisting in reducing traffic and time spent in commuting.

Planning Commission Recommendation: On November 2, 2000, the Planning Commission voted unanimously (6-0) to recommend City Council approval of the proposed amendments to the Progress Guide and General Plan and Pacific Beach Community Plan, and the Rezone from RM-1-1 to RM-2-5.

Community Planning Group Recommendation: On September 25, 2000, the Pacific Beach Community Planning Committee voted unanimously to recommend approval of the proposed amendments to the Progress Guide and General Plan and Pacific Beach Community Plan, and the Rezone from RM-1-1 to RM-2-5.

Manager’s Recommendation: Approve the proposed amendments to the Progress Guide and General Plan and Pacific Beach Community Plan, and the Rezone from RM-1-1 to RM-2-5.

FISCAL IMPACT:

None

Loveland/Haase/MW

LEGAL DESCRIPTION:

The project site is a 0.215-acre property located at 1911-1919 Diamond Street, and is more particularly described as Lots 3, 4, and 5 in Block 167 of Pacific Beach, according to Map thereof No. 697 and 854.

FILE LOCATION: Subitem A: LAND-Progress Guide & General Plan/Pacific Beach Community Plan/Diamond Street Community Plan Amendment and Rezone (09)
Subitem B: NONE

COUNCIL ACTION: (Tape location: D003-109.)

Hearing began at 2:03 p.m. and halted at 2:14 p.m.

Testimony in opposition by Virginia D. Kirby-Smith.

Testimony in favor by Mike Turk.

MOTION BY STALLINGS TO ADOPT THE CITY MANAGER'S RECOMMENDATION TO ADOPT THE RESOLUTION IN SUBITEM A AND INTRODUCE THE ORDINANCE IN SUBITEM B. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-333: Miramar Water Treatment Plant (WTP) Distribution System Improvements.

Matter of approving, conditionally approving, modifying or denying the project within the Scripps Miramar Ranch and Miramar Ranch North communities of San Diego. The pipeline sites are located along both sides of Scripps Lake Drive between Red Cedar Drive and Trenea Street, and on Scripps Ranch Boulevard between Scripps Lake Drive and Hibert Street, in the Miramar Ranch North Community Plan area of the City of San Diego. The Miramar Lake Pump Station is located just west of the Miramar Water Treatment Plant on Scripps Lake Drive.

The project includes installation of the Miramar 2A, Miramar Road Extension and Rancho Bernardo No. 2 Pipelines, the San Diego County Water Authority

(SDCWA) Pump Station Connection, improvements to the existing Miramar Lake Pump Station, and potential purchase of an industrial lot for construction parking and staging. The pipeline sites are located along both sides of Scripps Lake Drive between Red Cedar Drive and Treena Street, and on Scripps Ranch Boulevard between Scripps Lake Drive and Hibert Street.

(73-284.1. Scripps Miramar Ranch and Miramar Ranch North Community Plan areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitem A and subitem B:

Subitem-A: (R-2001-906) ADOPTED AS RESOLUTION R-294433

Adoption of a Resolution certifying that the information contained in the Mitigated Negative Declaration LDR-40-0296 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Miramar Water Treatment Plant Early Start Improvements Project Phase I.

Subitem-B: (R-2001-904) ADOPTED AS RESOLUTION R-294434

Adoption of a Resolution approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the Miramar Water Treatment Plant Early Start Improvements Project Phase I on Work Order No. 185061;

That the Contract Services Division of The City of San Diego is authorized and directed to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications hereinabove referred to;

That the City Manager is hereby authorized to execute a phase funded contract with the lowest responsible bidder for the Miramar Water Treatment Plant Early Start Improvements Project Phase I;

That the expenditure, not to exceed \$15,362,199 from Water Revenue Fund 41500, CIP-73-284.0, is hereby authorized solely and exclusively for the purpose of providing funds for said project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for such expenditure are or will be on deposit in the City Treasury;

That the Auditor and Comptroller is hereby authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

That the expenditure of \$125,000 for the use of City forces to open and close valves, and to provide inspection and coordination services, is hereby authorized.

OTHER RECOMMENDATIONS:

The Scripps Miramar Ranch and Miramar Ranch North Community Groups have been notified of this item and have not submitted a recommendation.

SUPPORTING INFORMATION:

Miramar Water Treatment Plant (WTP) Early Start Improvements Phase I represents initial improvement components outside Miramar WTP perimeter necessary to achieve the expansion of the plant from 140 million gallons per day (MGD) to 215 MGD. Miramar WTP Early Start Improvements Phase I consists of improvements to Miramar water distribution system which include the installation of the following pipelines: 84" Miramar 2A Tunnel, 48" Rancho Bernardo Pipeline No. 2, 36" Miramar Extension Pipeline and 54" County Water Authority Pump Station Connection. These pipelines will provide redundancy and increased capacity to the existing distribution system. In addition to the pipelines this project consists of improvements to Miramar Lake Pump Station to provide more efficient, higher capacity pumps to handle the increased flows after the expansion.

Due to the potential impacts to environmentally sensitive lands containing sensitive biological resources the project includes a Resource Protection Ordinance (RPO) Permit. A Mitigated Negative Declaration (MND) has been prepared in accordance with California Environmental Quality Act (CEQA) Guidelines. The MND contains a Mitigation Monitoring and Reporting

Program (MMRP) with conditions to address impacts related to biological, paleontological, noise, traffic and air quality. This MMRP has been incorporated into a draft RPO Permit No. 40-0296.

This project will facilitate the upcoming upgrade and expansion of Miramar WTP and intends to minimize the environmental and community impacts.

FISCAL IMPACT:

The requested amount of \$15,487,199, of which \$13,403,817 is for the construction contract, is available from Water Revenue Fund 41500, CIP-73-284.0, Miramar Water Treatment Plant Project. This project will be phase funded. It is anticipated that the construction contract will be phase funded over three (3) fiscal years.

Belock/Gardener/NK

LEGAL DESCRIPTION:

The pipeline sites are located along both sides of Scripps Lake Drive between Red Cedar Drive and Trenea Street, and on Scripps Ranch Boulevard between Scripps Lake Drive and Hibert Street, in the Miramar Ranch North Community Plan area.

FILE LOCATION: Subitem A: LAND- Scripps Miramar Ranch & Miramar Ranch North (10)
Subitem B: CONT - Archer Western Contractors; W.O. 185061

COUNCIL ACTION: (Tape location: C180-210.)

MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-350: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision

Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

N.C.W. Neighborhood 3, Resubdivision of Unit 9
Park Place Estates

COMMUNITY AREA

North City West
Otay Mesa/Nestor

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 5:18 p.m. in honor of the memories of:

George Haverstick as requested by Councilmember Atkins;
Mia Tegner as requested by Mayor Murphy, Councilmembers Peters and Stallings;
Sam Marasco, Senior as requested by Mayor Murphy; and
Olive Wehbring as requested by Councilmember Peters.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: H171-187.)